IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5886 OF 2005
IN
CRIMINAL APPLICATION NO.2749 OF 2005

Rajiv Hanmantrao Kulkarni. ... Applicant.
Versus.
State of Maharashtra. ... Respondent.

Shri A.M.Kulkarni for the Applicant.

Ms.M.M.Deshmukh, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 28th Sept., 2005.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned A.P.P. for the State. The prayer in this Application is for relaxation of condition No.(ii) imposed by this Court in the order dated 9th June 2005.

Condition No.(ii) reads thus:

> (ii) The bail is granted subject to condition that the Applicant will attend the office of Local Crime Branch, Sangli on every Monday from 11.00 a.m. to 2.00 p.m. till the completion of the trial. The Applicant will not make any attempt to influence or pressurise the prosecution witnesses and will not attempt to tamper with the evidence.

The case of the Applicant is that he is a permanent resident of Dombivali in District Thane and it is not possible for him to attend the office of the Local Crime Branch at Sangli. He contended that the Applicant has scrupulously abided by the said condition and attended the office of the Local Crime Branch, Sangli as directed by this Court.

2. The learned A.P.P.on instructions of the Investigating officer has stated that the Applicant has attended the office of the Local Crime Branch, Sangli, as directed by this Court.

3. Considering the averments made in paragraphs 5 and 6 of the application, condition No.(ii) deserves to be relaxed to some extent.

4. Hence the following order is passed:

(i) Condition No.(ii) in order dated 9th June 2005 is substituted by the following condition:

. "Bail is granted subject to condition that the Applicant will attend office of the Local Crime Branch, Sangli, on any Monday from 11.00 a.m. to 2.00 p.m. once in a

month till conclusion of trial. The Applicant will not make any attempt to influence or pressurise the prosecution witnesses and will not attempt to tamper with the evidence."

(ii) The Application is disposed of accordingly.

Judge.